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PATENT

45D-1750 (81841.0041)

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Linda
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

R. J. Obremski, et al.

Serial No: 09/063,978

Filed: April 21, 1998

For: DETECTION OF VERY LOW
QUANTITIES OF ANALYTE
BOUND TO A SOLID PHASE

Art Unit: 1645

Examiner: J. Hines

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5/13/2002

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Date

PRELIMINARY AMENDMENT

Box RCE
Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Prior to the examination on the merits, please enter and consider the following remarks that respond to the Advisory Action dated December 13, 2001:

REMARKS:

Claims 1-28 are pending in the application and have been rejected. Claims 1-28 are presented for further prosecution. Favorable reconsideration of the application is requested in light of the remarks that follow.

The rejection of claims 1-4, 13-19, 21, and 23-28 under 35 U.S.C. § 103(a) as being unpatentable over Ekins *et al.*, EP 304,202 (the '202 patent), in view of Ekins *et al.*, *J. of Clinical Immunoassay* (Immunoassay reference), is maintained. These rejections are respectfully traversed.

The present invention relates to a microscale-binding assay, an analyte-binding array, and a kit for use in a mass-sensing binding assay with a high